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News Release

CONVICTED PAKISTANI ARMS DEALER CHARGED IN CONSPIRACY TO EXPORT U.S. MILITARY ITEMS TO MIDDLE EAST, ASIA & EUROPE

Latest case marks third time defendant has been charged in U.S. for different illegal arms deals

SAN DIEGO – A Pakistani national convicted in 1987 of illegally exporting U.S. missile components to Iran has been charged in a new criminal complaint with conspiring to illegally export U.S. military aircraft components to the United Arab Emirates, Malaysia, and Belgium in 2004 and 2005.

Arif Ali Durrani, 56, is expected to make his initial appearance in U.S. District Court in Los Angeles today to face the new charges, which were announced late yesterday by Carol C. Lam, United States Attorney for the Southern District of California, Michael Unzueta, Special Agent-in-Charge for U.S. Immigration and Customs Enforcement (ICE) in San Diego, and Richard W. Gwin, Special Agent-in-Charge of the Defense Criminal Investigative Service (DCIS).

The complaint alleges that Durrani knowingly and intentionally conspired with others to export from the United States defense articles designated on the U.S. Munitions List without first having obtained a license or written authorization for such export from the Department of State in violation of Title 18, U.S.C. Section 371 (Conspiracy) to wit: violation of Title 22, U.S.C. Section 2778 (Arms Export Control Act). By law, anyone attempting to export U.S. defense articles must be registered with the State Department and must apply for and receive a license or other approval for export of the defense articles.

Specifically, the complaint alleges that Durrani conspired with Richard Tobey, operator of Airpower Supply in Temecula, California, to illegally export a rear canopy panel for the T-38 military aircraft from the United States to the United Arab Emirates on or about July 1, 2004. According to the complaint, Tobey told ICE and DCIS agents in June of this year that Durrani operated his military parts supply business from Mexico and that Tobey purchased and exported military aircraft components from the United States on behalf of Durrani. In August 2005, Tobey pleaded guilty in the Southern District of California to a felony charge of conspiracy to violate the Arms Export Control Act in connection with this illegal export.

The complaint also alleges that Durrani conspired with an uncharged co-conspirator to illegally export an amplifier for the General Electric J85 turbine jet engine from the United States to Malaysia on or about December 24, 2004, and conspired with the same individual to export two additional amplifiers for the same engine to Malaysia on or about January 14, 2005. These amplifiers were designed for the J85 engine, which is specifically used on the F-5 military fighter jet and the T-38 military trainer aircraft.

In addition, the complaint alleges that Durrani conspired with the same uncharged co-conspirator to illegally export an afterburner actuator for a J85 turbine jet engine from the United States to Belgium on or about January 14, 2005. This afterburner actuator was designed for the J85 engine, which is specifically used on the F-5 military fighter jet and the T-38 military trainer aircraft.

According to the complaint, the uncharged co-conspirator told ICE and DCIS agents in June of this year that he considered himself Durrani's representative in the United States and that Durrani would send him aircraft parts lists that he would search for, purchase, and ship. The uncharged co-conspirator also told agents that Durrani needed his help because Durrani could not conduct business for himself in the United States given his prior conviction for international arms dealing.

"Today's case marks the third time Durrani has been charged in the United States for different arms trafficking activity. It is a testament to the perseverance of ICE agents who, for nearly two decades, have kept close tabs on a man with a history of illegally exporting sensitive U.S. military technology," said Michael Unzueta, special agent-in-charge for ICE investigations in San Diego.

In October 1986, ICE agents in Connecticut arrested Durrani on charges that he had illegally exported guidance systems for the HAWK anti-aircraft missile from the United States to Iran. At trial, Durrani unsuccessfully argued that his actions were part of a U.S. government-sanctioned covert operation in connection with the Iran-Contra affair. Among other claims, Durrani alleged that his arms shipments to Iran were authorized by Lt. Colonel Oliver North, the former National Security Council aide. In April 1987, Durrani was convicted on three counts of violating the Arms Export Control Act.

The following year, the State Department statutorily debarred Durrani from exporting any defense articles from the United States. Durrani served his sentence and was released from prison in September 1992. In 1995, Durrani was ordered deported from the United States. In January 1998, Durrani voluntarily left the United States. Ultimately, he took up residence in Baja, Mexico.

On June 12, 2005, Mexican law enforcement officials arrested Durrani for being in Mexico illegally. Days later, Durrani was being deported by Mexican authorities to his native Pakistan when ICE agents met his connecting flight in Los Angeles. Upon his arrival, ICE agents arrested Durrani pursuant to a sealed indictment and arrest warrant issued in the Central District of California in May 1999. The indictment resulted from an investigation by ICE agents in Oxnard that began in 1993.

The 1999 indictment, which was unsealed at his initial court appearance in June, charged Durrani with two counts of violating the Arms Export Control Act. Specifically, the indictment alleged that Durrani's now defunct company, Lonestar Aerospace in Ventura, California, illegally exported more than 100 compressor blades for the General Electric J-85 military jet engine to foreign customers in 1994.

Friday federal prosecutors in the Central District of California dismissed the 1999 indictment against Durrani, paving the way for his prosecution in the Southern District of California on the new charges.

ICE

ICE, the primary investigative arm of the Department of Homeland Security, was established to bring a unified focus to the enforcement of U.S. immigration and customs laws, with the principal goal of preventing violations by terrorists and other criminals who threaten the nation's security.